

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

ADDITION OF EVERY DOOR DIRECT MAIL –
RETAIL TO THE PRODUCT LIST

DOCKET NO. MC2012-31

DAVID B. POPKIN RESPONSE TO UNITED STATES POSTAL SERVICE
OPPOSITION TO MY REQUEST FOR A PRESIDING OFFICER INFORMATION
REQUEST

July 26, 2012

Respectfully submitted,

PRCMC201231RESPONSE

DAVID B. POPKIN, POST OFFICE BOX 528, ENGLEWOOD, NJ 07631-0528

I am compelled to file this response to the Postal Service's Opposition to my Motion for an Information Request to correct a misrepresentation of the Commission's rules.

The Postal Service repeatedly asserts that under the Commission's rules it is inappropriate for a party to file a motion requesting that the Commission issue an information request. In fact, the Postal Service directly states that had the Commission intended for participants in mail classification dockets to propose questions to the Commission, it could have clearly done so

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I direct the Commission's attention to 39 CFR 3007.3(c). That section clearly states that "[a]ny person may request that the Commission issue a data or information request by filing a motion with the Commission, pursuant to §3001.21 of this chapter...." 39 CFR 3007.3(c). Thus, it appears that motions requesting that information requests be issued are appropriate and that the Postal Service's Opposition misrepresents the Commission's rules.